

TIME FOR A NEW CUBA POLICY

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USAWC STRATEGY RESEARCH PROJECT

TIME FOR A NEW CUBA POLICY

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ABSTRACT

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On 7 Jan 1959, the United States recognized the new Cuban government of Fidel Castro. After Castro's government executed former regime members, nationalized most private businesses (many United States), and declared that Fidel Castro did not need to stand for election, the United States broke diplomatic relations with Cuba on 3 January 1961, and subsequently imposed an economic embargo. Nearly fifty years of attempts to isolate Cuba through economic sanctions, travel restrictions, and broken diplomatic relations has not provided the results the United States policy towards Cuba aimed to achieve. It is time for the United States to pursue its national interests with regard to Cuba and implement a completely new policy in order to improve regional security and economic stability in Latin America.

TIME FOR A NEW CUBA POLICY

Fifty years of failure is too long. The incoming Obama administration should move quickly to embark on a rapprochement with Cuba and bring an end to punitive policies, especially the economic embargo. The United Nations condemns it, the European Union is trading with Cuba, and Latin America is urging the United States to allow Cuba back into the fold.¹

—Los Angeles Times Editorial

The United States policy towards Cuba over the past fifty years has not produced the intended results. The United States Secretary of State Hillary Clinton at a recent Digital Town Hall of the Americas in Santo Domingo, Dominican Republic responded to a question about the Cuban embargo that, both she and President Obama view the United States policy toward Cuba as a failure.² It would seem logical that a completely new policy towards Cuba should be developed, and I propose that now is the right time for this to happen. On 17 April 2009, in his opening remarks at the Summit of the Americas in Trinidad and Tobago, President Obama stated that “the United States seeks a new beginning with Cuba”.³ Although Cuba was not on the summit agenda, nor was Cuba invited to attend the gathering of 34 democratically elected leaders, it was important that the President put out this marker. United States’ allies in Latin America and Europe have not supported the Cuban policy for many years, with most deciding to go against American policy and establish diplomatic and trade relations on a bilateral basis. Support in Congress is waning, and the majority of the Cuban-American population in Florida now favors removing the embargo. It is in our national interest to change our policy towards Cuba in order to improve our international relations, open up economic opportunities, and use positive actions to influence our communist neighbor

to the south in order to better achieve our national security goals as they pertain to the Americas. So how did we get to this point? It is time for some history.

Background

The United States and Cuba shared a close but mostly one-sided relationship for over sixty years after the United States joined Cuba in its war for independence from Spain in 1898. What the Cuban revolutionaries didn't anticipate was the level of control the United States would demand from Cuba for this military assistance. After the peace treaty between the United States and Spain was signed in December 1898, the flag of the United States was raised over Havana, not the Cuban flag.⁴ General Leonard Wood was the Military Governor of Cuba until 1902 when a Cuban government took over leadership of the island. The newly elected leader of Cuba, Estrada Palma, was forced by the United States Congress to rule under the shadow of the Platt Amendment, accepted by Cuba to end the military occupation, but this amendment limited the sovereignty of Cuba and established the naval base (coaling station) at Guantanamo Bay.⁵ From this point forward the United States would *assist* the government of Cuba with all aspects of developing and ruling their country until early January 1959, when revolutionary forces seized control of Havana, and on 7 January, the United States recognized the new Cuban government of Fidel Castro.⁶ After Castro's government executed former members of the Batista regime, nationalized most private businesses (many United States), and declared that Fidel Castro didn't need to stand for election, the United States broke diplomatic relations with Cuba on 3 Jan 1961, and subsequently imposed an economic embargo aimed at returning democracy to the Cuban people.⁷

The embargo was followed months later by the debacle at the Bay of Pigs in April 1961, where 1,511 Cuban Nationals in opposition to Castro's revolution, stormed ashore with the backing of the Central Intelligence Agency, only to be abandoned by the United States at the last moment and soundly defeated by the Cuban Armed Forces.⁸ In October of the same year, the stationing of Soviet nuclear missiles in Cuba created a crisis. For thirteen days, some say the most dangerous time in the history of the world, the United States and the Soviet Union stood on the brink of war. A naval blockade of Cuba by the United States was seen as an act of war by the Soviet Union. The tensions peaked when the Soviets shot down a U2 spy plane over Cuba on 26 October. Days later the two world powers negotiated an agreement that ended the nearly catastrophic clash. The terms required the Soviets to remove their missiles and guaranteed that the United States would not invade Cuba to remove the Castro regime. Fidel Castro and his government were left out of the negotiations and Castro felt devastated at this omission, seeing it as a replay of the 1898 Treaty of Paris where Cuba was but a pawn.⁹

Fifty years on, Cuba is still a communist state.¹⁰ The economic embargo's effect on Cuba was weakened by the economic aid provided by the Soviet Union from 1960 until the break-up of the Soviet Union in 1991.¹¹ The closest the United States policy came to actually achieving its objectives was the period following the collapse of the Soviet Union when financial support from the Soviet Union to Cuba stopped and the centrally controlled Cuban economy went into a tailspin. During this period, as other former Eastern Bloc countries broke away from Russia they turned towards democracy and subsequently abrogated their trade agreements with Cuba, putting even more

stress on the Cuban economy. Cuba alone withstood the economic hardship and survived as a communist country.¹² In 1996 President Clinton signed the Cuban Liberty and Democratic Solidarity (Libertad) Act (also known as the Helms-Burton Act) into law.¹³ This act penalizes foreign companies that do business with Cuba and also empowers the United States Congress in controlling policy towards Cuba.¹⁴ The act added additional stress to the already ailing Cuban economy, although Titles III and IV were not enforced, as European nations surprised the United States Government with a strong negative reaction to this new law, especially Title III, which enables United States nationals to bring lawsuits against foreign governments, companies, and individuals who in any way conduct business regarding expropriated United States property and Title IV, which denies entry visas to the United States for any person who has conducted business regarding expropriated American properties.¹⁵ Remarkably, Cuba was able to survive this period with their government intact. How could Cuba survive this devastating series of impacts to their economy and communism? Partly because the Castro regime had an advantage that the socialist countries of Eastern Europe lacked, being an island, Cuba could effectively secure its borders and short of risking death on the sea, keep the Cuban population from fleeing. This one-two punch towards the communist state was the United States' best shot. If the embargo policy did not succeed during this period, then chances are it has no feasible chance of succeeding in the near to mid-term future as Cuba's economy is currently showing steady growth.¹⁶ That leads us to where we are today.

Current Situation

The United States policy towards Cuba has not changed significantly over the last fifty years, which is in contrast to the significant changes in Cuba. External

aggression and subversion by Cuba have stopped and Cuban forces have left Africa and Central America. It seems the one constant is that Fidel Castro's government is still in power, and this is unacceptable to the United States.¹⁷

On 15 January 2010, President Obama suspended for six months beyond 1 February 2010, Title III of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996.¹⁸ Every President since this act was signed into law has suspended Title III, which contains the harshest measures to both Cuba and to the nations of the world that are conducting business with Cuba. It doesn't look like the United States has the will to stand up to further world criticism and risk being taken to the World Trade Organization for unfair trade practices, actions that would likely follow the enforcement of Title III of the Libertad Act.¹⁹

Current United States policy seems to be reliant upon the death of Fidel Castro to ignite positive change in Cuba. Unfortunately, the likelihood of Fidel's death leading to dramatic changes in the government is not looking like a probable outcome, and just the opposite is looking more likely, that Fidel Castro's death probably will not bring much change at all, as his brother Raul has been in power since 2008 with no substantive modifications to the status quo. Yet, according to a report from the Council on Foreign Relations, Cuban communism is dead as a potent political force in the Western Hemisphere.²⁰ Cuba's policy of spreading communism through military adventurism has ended, most likely due to a lack of funding. Cuba has revoked its policy of foreign military involvement. Since 1989, estimated Cuban military spending has declined from approximately 9.1% to approximately 3.8% of GDP.²¹ Cuba continues to send modest-sized civilian assistance missions to various countries in the developing

world, primarily in the fields of medicine and education.²² The communist example of a national economy that Cuba provides to the rest of the hemisphere is less than inspiring. So while Fidel Castro is still alive, the foreign policy of Cuba has shifted dramatically towards what the United States prefers and the shining example of a communist state run economy has disappeared.

Presently, what specific actions must Cuba undertake in order for the United States to lift the economic embargo? With the end of the Cold War the Government of Cuba does not represent the security threat to the United States that it once did. The United States has significant grievances with Cuba over the fact that the nation is communist, that it has a poor human rights record, and that former owners of expropriated properties from the time of the revolution, still must be compensated. There are other countries today that could be compared with Cuba, but that have normal trade relations with the United States. Let us confine this to communist countries only. There are four other communist countries in the world today, China, North Korea, Laos, and Vietnam, and all but North Korea have normal trade relations with the United States.²³ I do not think many would argue that North Korea is a much greater threat to the National Security of the United States than Cuba. Let us compare China with Cuba. China is a communist state with a poor record on human rights. The main difference between China and Cuba, in this example, is that China did not expropriate United States property. Yet, the United States has not communicated to Cuba that the only issue they must resolve is compensation to the owners of the expropriated properties and normal trade relations would follow. China would seem to

pose a much greater threat to the United States than Cuba, yet they benefit from a significant trading relationship with the United States.

If the current United States policy towards Cuba was to succeed, and the Cuban government collapsed, would this be a good thing? Not really. The chaos that would likely follow could be worse than today's status quo. It is not in the interest of the United States for Cuba to undergo an economic collapse that topples the government but also could lead to a humanitarian crisis in Cuba. Widespread suffering that is sure to follow a collapse of the government would probably also lead to a flood of refugees risking death to reach safety in the United States; surely a negative outcome in the eyes of United States policy makers.²⁴ A more gradual shift towards democracy with progress on human rights, while avoiding major disruptions to Cuban society, may be less dramatic, but would likely be better for both Cuba and the United States.

Current United States policy does not effectively cut off what really keeps the Cuban government afloat economically, the remittances from the very Cuban exiles whose representatives in Congress tried to block liberalization of this policy.²⁵ But this is not a bad thing. The United States has gained leverage over the Cuban economy with the remittance program, and the recent removal of limits on the amount that can be sent to relatives in Cuba will only increase this factor. There is a downside to this leverage however, in that by restricting remittances in the future the United States would be causing direct harm the Cuban people and only indirect harm to the Cuban government.

President Obama announced on 13 April 2009, that he was easing restrictions on travel to Cuba by close relatives, removing limits on remittances to close relatives, and

allowing United States residents to contract with a telecommunications company (not Cuban) to provide a cellular telephone and services to a Cuban national who owns the phone.²⁶ These are not insignificant adjustments to the current sanctions regime, but they leave a very significant amount of the embargo still in place.

While the United States does not have diplomatic relations with Cuba, the rest of the nations of the Americas do. Cuba has worked hard to establish bilateral relations that have proven very beneficial. The relationship between Cuba and Venezuela is most troubling for the United States. Since late 2000, Venezuela has been providing oil on preferential terms, and it currently supplies about 100,000 barrels per day of petroleum products. Cuba has been paying for the oil, in part, with the services of Cuban personnel in Venezuela including some 30,000 medical professionals.²⁷ Additionally, Cuba has established warm relations with China.

Domestic politics have never been more favorable for a significant change to United States foreign policy towards Cuba.

For the first time since FIU began polling the Cuban American community in 1991, a majority of participants, 55 percent, favor ending the United States embargo against Cuba. A majority of Cuban American voters also favor ending current restrictions on travel and remittances to Cuba, with the strongest support for changing current policy among those who emigrated after 1980 and from younger age groups. Results showed that a strong majority of registered Cuban American voters, as well as the larger community, support greater engagement with Cuba, including direct talks between the United States and Cuba on issues such as migration. When gauging the reaction of the community to Raúl Castro's Presidency, 65 percent answered that they see the same possibility for change under Raúl Castro as under Fidel Castro. The poll results also show the largest percentage of Cuban Americans voting for the Democratic Presidential candidate since Jimmy Carter in 1976, with 38 percent of the total community and 51 percent of Cuban Americans under age 45 voting for Barack Obama.²⁸

The result of this December 2008 polling is to unlock the *ball and chain* of Cuban-American resistance to easing of sanctions from the President as well as some influential members of congress. They are now free to pursue what they deem as the policy that is in the best national interest of the United States, without the fear that their position could cost them re-election.

Internationally, the world is nearly unanimous in its opposition to the United States policy towards Cuba. In fact, on 28 October 2009, the United Nations General Assembly voted on a non-binding resolution to lift the embargo with 187 votes in favor of the resolution, three votes against (the United States, Israel, and Palau) and two abstentions (Federated States of Micronesia, and the Marshall Islands).²⁹ The nearly universal unpopularity of this policy takes away from the soft power of the United States and is an obstacle to the bilateral relations between the United States and numerous other nations.

The United States requires a policy that will lead to better relations between the United States and Cuba, increase the soft power of the United States in the Latin American world, and pull the Cuban government towards a more representative form of governance. These conditions will contribute to the national security of the United States as well as to the western hemisphere. So with this in mind, what are our likely options?

Options

- Path of least resistance, stay the course. The United States can continue with the current policy of trade embargo, travel restrictions, and limited diplomatic relations. The United States will not likely choose this path, but will

rather go down it because it is easier politically to not change the status quo. This policy requires a long-term commitment and continuing patience. The Cuban Liberty and Democratic Solidarity Act of 1996 provides the way ahead that the Cuban government must follow in order to gain normalized relations with the United States. This option follows the path of the last forty nine years and no significant change is required on the part of the United States. Politically, this avoids the problems generated by going against the Cuban voters of Florida that have been strong supporters of the current policy. The risk is that the United States will miss a window of opportunity to make fundamental positive changes to our relationship with Cuba. Additionally, Cuba could attain economic prosperity in spite of the United States' actions. Cuba would be forced to continue to look towards China and Venezuela for trade and security relationships. Additionally, for both trade and tourism, Cuba will continue to develop relationships with Canada and the European Union, while the United States' influence will continue to wane.³⁰

- Strengthen the current policy. Eliminate the billions of dollars per year in remittances from Cuban-Americans to relatives within Cuba. Work multilaterally with other countries to increase the effectiveness of the current embargoes on trade and travel. Fully implement the "Powell Commission Report" recommendations to end the Castro dictatorship and undermine the succession strategy.³¹ The Powell Commission Report seeks to reverse the recent economic gains to put added pressure on the government of Cuba.³² Additionally, pressure the European Union to stop trading with Cuba and

restrict the ability of EU citizens to travel to Cuba. The EU nations provide a great opportunity to make up for lost trade with the United States and have a large population of potential tourists for Cuban beaches. The United States must deter actions by the Organization of American States to work closer with Cuba. The Organization of American States should also warn its members to limit the scope of bilateral relations with Cuba in order to support the efforts of the United States. The United States must use Radio and TV Marti to inform the Cuban people of the true cause of their economic difficulty, the dysfunctional communist centrally controlled economy vice economic sanctions. And finally, tighten the noose around the economy and government of Cuba to attempt to bring down the government in a shorter period of time. This option assumes that our current policy is the correct policy, but needs to be strengthened. It eliminates half measures and contradicting policies to produce a more powerful embargo with devastating effect on the Cuban dictatorship. The risk is that the United States will become further isolated from the world in regards to its Cuba policy and will create additional sympathy for Cuba. This could result in open disregard for the embargo by the European Union and other countries interested in trade with Cuba, with a collapse of the effectiveness of the embargo. The soft power of the United States would suffer with possibly no gain. The United States could lose all possible influence over the future direction of the Cuban government as the Castro regime is replaced.

- Limited easing of economic and travel sanctions. Engage the Cuban government and reward concessions by easing sanctions. Engage the Cuban government and use a carrot and stick program to encourage the Cuban leadership to transition from a dictatorship towards a more representative form of government, with more emphasis on the stick and less on the carrot. Reward concessions on human rights and moves toward democratization with increased levels of trade and travel. Use the enticement of increased revenue to the government through higher levels of trade as well as the income generated when Americans (of both Cuban descent and non-Cuban descent) visit the island and spend dollars. This approach should be less threatening to the Cuban government as they have a level of control over the pace of change. The risk is that the government of Cuba would have the opportunity to adjust to the gradual changes and maintain control while conditions for the Cuban people improve, removing the pressure for a change towards market reforms and a more democratic form of government.
- Support the Cuban people, but not the government. This option would completely and unilaterally lift the embargo on trade and travel.³³ Reestablish normal diplomatic relations with Cuba. Engage the Cuban government and use a carrot and stick program to encourage the Cuban leadership to transition from a dictatorship towards a more representative form of government, with more emphasis on the carrot and less on the stick. Included in the carrots are: military to military exchanges and exercises; observer status in the Organization of American States (OAS); and provide

assistance transitioning the economic and financial aspects of the economy towards a free market system. Use the economic element of power to demonstrate the superior qualities of a free market economy. Encourage Cuba to allow United States businesses to operate in Cuba without the restrictions of government ownership and government collection of wages for labor. Help Cuba develop an economy that takes advantage of their educated workforce (literacy rate of 99.8%)³⁴ to move away from low value added products to high value added products with the goal of improving the per capita gross domestic product (GDP) and thus the quality of life for the average Cuban citizen. This option has risk politically, as Cuban voters in Florida have traditionally supported isolating the Cuban government and economic sanctions. There are recent indications that Cuban-American opinions are shifting towards more engagement with Cuba. The recent poll conducted by the Brookings Institution, in collaboration with Florida International University and the Cuba Study Group, found that over 55% of Cuban-Americans oppose continuing the embargo and seems to indicate that this risk has lessened recently.³⁵ But, with a viable economy that improves the standard of living for the population of Cuba, their government will feel less pressure to change from a dictatorship into a more representative form of government.

Recommendations

The option with the greatest possibility of success and reward for the United States is to support the Cuban people, but not the Cuban government. The United States should take the following actions unilaterally:

- Lift completely the economic embargo. Establish banking and financial relationships to facilitate the trading of goods and services between the two countries.
- Lift completely the travel ban to allow not only Cuban-Americans with relatives but also all other Americans to travel to Cuba. This interaction of Americans with Cubans will help raise the awareness of Cubans about their northern neighbor.
- Next, the United States should engage the Cuban government to develop a bilateral trade agreement. The goal of this initiative would be to achieve normal trade relations between the two countries.

This leaves the issue of compensation for United States companies and individuals whose property was expropriated by the Cuban government. With the embargo lifted, the United States should enlist the assistance of the European Union and Canada to apply pressure to Cuba as well as to assist in negotiations with the World Trade Organization to address issues with illegally confiscated property.³⁶

The United States will gain leverage with the Cuban government as relations improve, and that will be the time to address human rights in Cuba. The return of the Cuban Five, a group of Cuban spies arrested and convicted in Florida, should be worth some human rights concessions. In Cuba, these men are known as the “Cinco Heroes” and their plight is well known.³⁷

So what leverage do we have now that we have unilaterally given the Cuban government most of what they have wanted? Offer to return back to Cuba the Guantanamo Naval Base after the government of Cuba shifts towards a representative

form of government. The foundation for this action has already been laid with the Libertad Act. “The future of the Guantanamo base, a provision in the Cuban Liberty and Democratic Solidarity Act of 1996 states that once a democratically elected Cuban government is in place, United States policy is to be prepared to enter into negotiations either to return the base to Cuba or to renegotiate the present agreement under mutually agreeable terms.”³⁸ The United States Congress should soften the language referring to a democratically elected government and instead substitute that a representative form of government is required before entering into negotiations for the Guantanamo base.

Once Cuba makes changes towards a representative form of government the United States can start working on democratic reforms. The carrot is to offer Cuba, in exchange for changes to a democratic form of government, support for their return to the Organization of American States (OAS). Until Cuba makes changes towards democracy, the United States should block the request of several member states to let Cuba into the organization. Secretary of State Hillary Clinton said it well in a recent interview. “Many member countries originally sought to lift the 1962 suspension and allow Cuba to return immediately, without conditions, others agreed with us that the right approach was to replace the suspension — which has outlived its purpose after nearly half a century — with a process of dialogue and a future decision that will turn on Cuba’s commitment to the organization’s values.”³⁹ These values include promoting democracy and defending human rights.

The window of opportunity is open now for this type of change. The Obama administration has taken some steps in this direction with the lifting of remittance limits,

unlimited visits to relatives in Cuba, and the ability to provide cell phones to relatives in Cuba. The other recent change is the new majority of Cuban-Americans, in Florida, that support removal of the embargo. Based on votes in the United Nations and the European Union it is clear that world opinion would definitely be supportive of this action. The combination of the above mentioned events now points to an opportunity to make real progress that will benefit both nations. The United States would gain in soft power, gain an additional economic trading partner, and have a chance to influence the type of changes in the Cuban government as the Castro influence wanes. Clearly, support to the Cuban people will indirectly provide support to the Cuban government, but that could work against the regime as well if the people realize that improvements in their living conditions are not the result of communism, but from the interaction with the capitalist world.

There is a sound reason for unilaterally lifting the trade and travel embargoes without first seeing positive actions from the Cuban government. From Cuba expert Carlos A. Saladrigas, Co-Chairman, Cuba Study Group, "We can go back in the history -- in the 50-year history of United States-Cuba relations and clearly see that any time we begin to see a little bit of relaxation of tensions in the relationship, whenever we begin to see a little bit of openness on the part of the United States or Cuba, historically the Cuban government has done something to counteract that trend and significantly revert back to their playbook." ⁴⁰ The United States needs to take the initiative away from the Castro regime, and have them react to actions they have publicly called for (removal of the embargo), but in reality are unsure of the second and third order effects and their ability to control the outcome.

One of the first problems for the Cuban government after the removal of the embargo will be the excuse for the poor performing economy. "... the embargo and the United States policy of confrontation and isolation have been incredibly useful to the Cuban regime as an alibi for the failures of the regime to meet the fundamental needs of the people on the island, but also is a significant source of legitimacy, both internal and external."⁴¹ This situation may present the United States with the opportunity to step in to assist with market reforms if the Cuban economy sputters and the government realizes they don't have a scapegoat.

Conclusion

The efforts expended by the United States to keep the embargo effective, the loss of trade, and the loss of soft power in most of the world are clearly not worth it in comparison to the threat that Cuba poses today. The gains to be achieved by following any path other than the unilateral removal of the economic and travel embargoes are small in comparison to the overall costs of continuing the current failed policy. The United States is losing far too much soft power in its efforts to punish and isolate the government of Cuba. American firms could be left out of any economic gains as Cuba continues to grow its economy. As Cuba emerges from the economic difficulties of the last two decades, the United States has an opportunity to influence the future direction of our southern neighbor. The current United States policy has many passionate defenders, and their criticism of the Castro regime is justified. Nevertheless, we must recognize the ineffectiveness of our current policy and deal with the Cuban regime in a way that enhances United States interests.⁴²

The United States cannot afford to miss out on the window of opportunity to affect a positive change in the relationship with Cuba. If Cuba is able to continue on a

path of economic progress and emerge once again as a true regional power, with communism intact, the United States will be the loser in this half century struggle. Cuba is spreading its limited influence to Venezuela, Honduras, Nicaragua, and will be ready to bring in any other countries in the Americas that want to move away from the United States orbit. The United States can't stand by and watch Cuba regain strength, intact as a communist country, but must take this opportunity to create an inflection point for Cuba that guides her onto a path that will benefit the nations of the Americas.

Endnotes

¹ *A New Approach to Cuba*, Los Angeles Times Editorial, December 31, 2008.

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